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FILED

DECEMBER 21, 2004

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE LICENSE OF

Administrative Action

STEPHAN B. HOSMER, D. O.
License No. MB 43059

: **ORDER OF UNRESTRICTED**
: **LICENSE**

TO PRACTICE MEDICINE AND SURGERY :
IN THE STATE OF NEW JERSEY

This matter **was** originally opened to the New Jersey State Board of Medical Examiners ("Board") upon receipt of a complaint concerning the death of Respondent's patient. K.W., during hysteroscopic surgery for the removal of benign fibroid tumors of the uterus by Respondent. Respondent, represented by an attorney, Joel Korin, Esq., twice appeared and testified before a committee of the Board concerning the above noted procedure. The matter was **resolved** in February 2001, by a Consent Order, which included a reprimand for his role **as** the surgeon responsible for the hysteroscopic surgery of patient K.W., during which laparoscopic tubing was used instead of the appropriate hysteroscopic tubing. **An** operating room technician had prepared the equipment for Respondent's use. The equipment that introduced the distension medium of nitrogen, used to aid visualization during the surgical procedure, failed, and **as a** result nitrogen and some fluid were

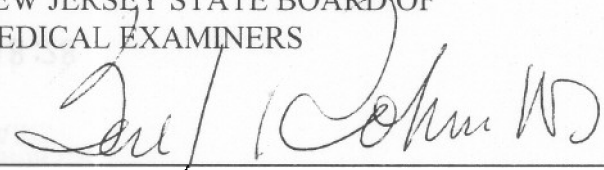
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introduced into the uterine cavity. Respondent was unaware that the equipment had failed and that nitrogen had entered the patient's uterine cavity. The patient suffered **an air** embolism and died as a result of the use of the incorrect tubing and defective equipment. This **was** Respondent's first experience performing **an** operative hysteroscopy, and although an experienced hysteroscopic surgeon **was** present in the operating room to provide supervision, he was not scrubbed. **As** the operating surgeon, Respondent recognized his responsibility in the events leading **up** to patient K.W.'s death.

In addition to the reprimand, Respondent agreed to immediately **cease** and desist from performing hysteroscopic procedures pending further order of the Board, and pay costs and penalties.

Subsequently, Respondent sought permission, through counsel Michael Glassman, Esq., from the Board to **modify** the Consent Order. Pursuant to Board direction, in 2004, in the State of New York, **Respondent** satisfactorily observed **five** operative hysteroscopies. Thereafter, Respondent demonstrated successful performance often supervised hysteroscopy procedures, with at least seven operative in nature. Given Respondent's demonstration of his successful education and remediation in the area of hysteroscopies, the Board hereby modifies the prior Consent Order. Respondent's New Jersey license shall no longer be deemed to include any limitations, either diagnostic or operative.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

By: 
Bernard Robins, M.D., F.A.C.P.
President